

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

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IN RE MICROSOFT CORP.  
ANTITRUST LITIGATION.

MDL Docket No. 1332

Hon. J. Frederick Motz

This Document relates to:

*Burst.com, Inc. v.*  
*Microsoft Corp.,*

Civil Action No JFM-02-cv-2952

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**BURST.COM, INC.'S MOTION FOR ADDITIONAL TIME TO DEPOSE  
WILLIAM H. GATES, III AND CERTIFICATE OF CONFERENCE  
~~[ATTACHMENTS FILED UNDER SEAL]~~<sup>1</sup>**

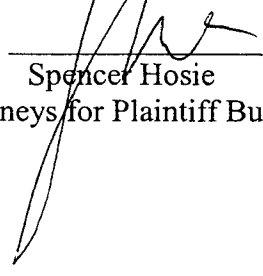
Pursuant to Local Rules 104.8(c), Burst.com, Inc. herewith files its briefing on Burst.com's Motion for Additional Time to Depose William H. Gates, III and certification of a conference of counsel as required by Local Rule 104.7. See Exhibits A-C. The parties have conducted conferences addressing the issues raised in the motion. Those conferences have been unsuccessful in resolving the issues presented in this motion.

<sup>1</sup> Filed publicly pursuant to October 5, 2004 telephonic conference.

DATED: October 4, 2004

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**PROOF OF SERVICE**

I am employed in the State of California, County of San Francisco. I am over 18 years of age and am not party to the within action. My business address is One Market, Spear Tower, Suite 2200, San Francisco, California 94105.

On October 4, 2004, I served BURST.COM, INC.'S MOTION FOR ADDITIONAL TIME TO DEPOSE WILLIAM H. GATES, III AND CERTIFICATE OF CONFERENCE upon counsel named below as indicated:

Jonathan Treece (*via Federal Express*)  
**SIDLEY AUSTIN BROWN & WOOD LLP**  
Bank One Plaza  
10 South Dearborn Street  
Chicago, IL 60603

Executed this 4<sup>th</sup> day of October, 2004.

  
Janine DeAndre